

REMARKS

Claims 11-32 are pending.

The indication of allowable subject matter with respect to claims 11-19, 22, 23, 25, 26 and 30-32 is appreciated.

Claims 20, 21, 24, and 27-29 were rejected under 35 U.S.C. §102(a) as being anticipated by Ku. The applicant respectfully traverses this rejection for the following reason(s).

The present Invention discloses that a private base station transceiver subsystem (BTS) used In a public/private common cell area is used as one of base stations in a general public mobile communication network, and provides a public/private mobile communication service unit for performing both public and private mobile communication services between the private BTS and a public base station controller (BSC). In the present invention, when a requested service by a mobile terminal is a public mobile Communication service, the public mobile communication service is transparently transmitted to the public BSC or the private BTS. When the requested service is a private mobile communication service, the system accesses a network corresponding to the corresponding private mobile communication service, Therefore, in the case of the public mobile communication service, the system of the present invention accesses to a network including a public BSC and a public mobile switching center (MSC) as well as a private BTS, and In the case of the private mobile communication service, the system accesses to a network between mobile terminals

within the public/private common cell area covered by a private BTS.

Note that in order for an anticipation rejection to be proper, the anticipating reference must disclose exactly what is claimed. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Note here that the Examiner has not relied on "inherency," accordingly, each and every element must be expressly described in Ku.

Of the rejected claims, 20 and 28 are independent. Claim 20 calls for:

- *a public/private communication service unit connected to a particular one of the public mobile communication network's base station controllers (BSCs).*

The Examiner refers to Ku's private automatic branch exchange (PABX) 26 **and** mobile switching center (MSC) 25 with respect to *a public/private communication service unit*. Additionally, the Examiner refers to Ku's base station controller (BSC) 24 with respect to *a particular one of the public mobile communication network's base station controllers (BSCs)*.

- *at least one private base station transceiver subsystem (pBTS) connected to the public/private communication service unit, for forming a public/private common cell area.*

The Examiner refers to Ku's wireless transceiver 21. Wireless transceiver 21 does not meet

the well known definition of a "base station transceiver." That is, a **base station transceiver** is defined by the art of mobile communications, as a radio transceiver that defines a cell and coordinates the radio-link protocols with the mobile device. The BTS is the networking component of a mobile communications system from which all signals are sent and received. A BTS is controlled by a base station controller and include a particular BSC interface connected between the BTS and BCS.

A **base station controller** (BSC) is used to control groups of BTSSs, provide mobility management for mobile stations, anchor airlink protocols and provide connection to a mobile switching center (MSC). The composite collection of one or more BTS and the associated BSC will form a **base station system** (BSS).

In Ku, transceivers 21 are not controlled by a base station controller. As can be see by Ku's Fig. 2, transceivers 21 are connected via concentrator/distributer 22 to a pico base station transceiver subsystem 23. It is this pico base station transceiver subsystem 23 that is controlled by base station controller 24.

Accordingly, Ku's transceivers 21 are not, by definition, base station transceivers.

- *if a message received for a service requested by a particular one of the mobile stations (MSs) is a public mobile communication service message, the public/private communication service unit provides a path designation to transparently transmit the received message to the public mobile communication network's base station controller (BSC) connected to the public/private communication service unit; and claim 28 calls for providing path designation to transparently transmit a received message to the base station controller (BSC) connected to the public/private communication service unit, if the message received for the service requested by the mobile*

station (MS) is a public mobile communication service message.

In Ku, there is already an established path between the BSC 24 and *public/private communication service unit (PABX/MSC) 25.*

Moreover, a pico BTS for only a private network (hereinafter, referred to a private-only pico BTS for a private-only network) in Ku is not used as both public/private common cell area, as the BTS of the present invention. Also, the private-only pico BTS of Ku is not used as one of a plurality of BTSSs in the public mobile communication network as in the present invention. That Is, the pico BTS of Ku is for only the private network and thus the private-only pico BTS and the public BTS are separately needed. However, the present invention has an advantage that one base station transceiver is used for both the public and private services.

Additionally, Ku discloses that upon receipt of a signal of a call, a public MSC (4) determines whether the received call signal is for a general base station or a private-only pico BTS. However, in the present invention, a public MSC does not perform Ku's operation as above. The MSC of the present invention recognizes the private BTS as one of public base stations. Thus, the present invention is different from Ku in that the public MSC processes all calls as a general public mobile communication call.

Further, the present Invention discloses a mobile communication service unit located between the private BTS and the public BSC for performing both private/public mobile communication services, in which the mobile communication service unit determines whether 'it is the private

mobile communication service or the public mobile communication service. However, Ku does not disclose such a mobile communication service unit at all.

Also, in the present invention, when the private mobile communication service is performed, the system accesses to the network in the private BTS, without passing through a BSC (3) as in Ku.

In Ku, when a private call communication is terminated, since a public MSC is involved in calculating a communication charge, a charge calculation is performed by applying a private telephone charge which is mutually agreed between subscribers of a private network and communication enterprises. However, in the present invention, since a private mobile communication service is provided in the private BTS, the public MSC is not involved. In the private MSC, the communication charge agreement between subscribers and communication enterprises as Ku is not needed.

Also, Ku discloses dividing a private call communication frequency f2 and a general mobile communication frequency f1, using the frequency f2 for the private-only network and using the frequency f1 for general mobile communication. However, in the present Invention, it is not necessary to divide such as above, and rather the general mobile communication frequency is used for the public and private mobile communication service as it is.

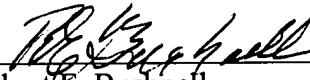
Accordingly, the differences between the claimed invention of claim 20 and Ku, as well as the advantages of the present invention over Ku, have been outlined above. Therefore, it is deemed that Ku fails to anticipate claim 20, and as such, the rejection should be withdrawn. Claim 28 is similar to claim 20, and as such, is also deemed to not be anticipated by Ku. Accordingly, the

rejection of claim 29 should also be withdrawn.

The Examiner is respectfully requested to reconsider the application, withdraw the objections and/or rejections and pass the application to issue in view of the above amendments and/or remarks.

Should a Petition for extension of time be required with the filing of this Amendment, the Commissioner is kindly requested to treat this paragraph as such a request and is authorized to charge Deposit Account No. 02-4943 of Applicant's undersigned attorney in the amount of the incurred fee if, **and only if**, a petition for extension of time be required **and** a check of the requisite amount is not enclosed.

Respectfully submitted,



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